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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,773	12/10/2001	Richard P. Junghans		2051

7590

09/15/2006

Richard P. Junghans, Ph.D., M.D.
One Lyndeboro Place
Boston, MA 02116

EXAMINER

SANG, HONG

ART UNIT	PAPER NUMBER
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1643

DATE MAILED: 09/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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EXAMINER

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20060913

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Commissioner for Patents

1. The reply filed 6/26/06 is not fully responsive to the communication mailed 6/22/05 for the reasons set forth below.


The reply filed on 6/26/06 cancelled claims 1-9 and added new claims 10-21. New claims 19-21, drawn to a nucleic acid, a vector, a host cell and a method for treating proliferative diseases using the host cell, are directed to inventions that are independent or distinct from the invention originally claimed, which is drawn to an antibody.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, new claims 19-21 will be withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

2. Since the above-mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

3. Any inquiry concerning this communication should be directed to Examiner Hong Sang, Art Unit 1643, whose telephone number is (571)272-8145.

Hong Sang, Ph.D.
Art Unit 1643
Apr. 20, 2006


LARRY R. HELMS, PH.D.
SUPERVISORY PATENT EXAMINER